

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

Before Commissioners: Pat Wood, III, Chairman;  
William L. Massey, Linda Breathitt,  
and Nora Mead Brownell.

San Diego Gas & Electric Company,  
Complainant,

Docket No. EL00-95-045

v.

Sellers of Energy and Ancillary Services  
Into Markets Operated by the California  
Independent System Operator and the  
California Power Exchange,  
Respondents.

Investigation of Practices of the California  
Independent System Operator and the  
California Power Exchange

Docket No. EL00-98-042

ORDER DEFERRING HEARING PROCEDURES

(Issued December 6, 2001)

On July 25, 2001, the Commission issued an order establishing the scope of and methodology for calculating refunds related to transactions in the spot markets operated by the California ISO and PX.<sup>1</sup> The order also established an evidentiary hearing in order to further develop the factual record so that refunds could be calculated. The Commission required the presiding administrative law judge in that proceeding to certify findings of fact on three issues: (1) the mitigated price in each hour of the refund period; (2) the amount of refunds owed by each supplier according to the methodology established in the July 25 Order; and (3) the amount currently owed to each supplier (with separate quantities due from each entity) by the ISO, the investor-owned utilities and the State of California.

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<sup>1</sup>San Diego Gas & Electric Co., et al., 96 FERC 61,120 (2001), reh'g pending (July 25 Order).

Numerous petitions for rehearing of the July 25 Order are pending. The Commission intends to act on these in the near future. If the Commission were to grant rehearing or clarification of some of the issues raised, this could potentially affect the calculations being determined in the evidentiary proceeding. To prevent wasted effort by the parties in the evidentiary hearing, the Commission hereby directs the presiding administrative law judge to defer further action in the evidentiary hearing (including submission of testimony and the hearing itself) until further order from the Commission.

The Commission orders:

The presiding administrative law judge is hereby directed to defer action on the evidentiary hearing in this proceeding, as discussed in the body of this order.

By the Commission.

( S E A L )

Linwood A. Watson, Jr.,  
Acting Secretary.